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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,978	07/22/2003	Adam K. Kolawa	49606/RRT/P396	6615
23363	7590	06/17/2005	EXAMINER	
CHRISTIE, PARKER & HALE, LLP			MIZRAHI, DIANE D	
PO BOX 7068				
PASADENA, CA 91109-7068			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/624,978	Applicant(s) KOLAWA ET AL.	
	Examiner DIANE D. MIZRAHI	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7-22-03</u> . | 6) <input checked="" type="checkbox"/> Other: <u>drawings are difficult to read</u> . |

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Art Unit: 2165

III. DETAILED ACTION

Claims 1-25 are presented for examination.

Claim Rejections - 35 USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, and 8-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ditmer et al. (US Patent No. 6,473,407 B1 and Ditmer hereinafter) in view of Wang Cheng et al. (US Patent No. US 5,537,467 A and Cheng hereinafter).

Regarding Claims 1 and 8 Ditmer teaches for testing database oriented software application that interacts with a database comprising: an editor module for creating Structured Query Language (SQL) queries (col 21, lines 19-45); a data repository for storing SQL structures and SQL queries (i.e. database Figure 8, #410), a rule creator editor for creating patterns of relational structure to be detected in a database (col 16, lines 60-65); a database analyzer module for building test suites and executing the test suits using a plurality of

tests (col 23, lines 18-49); and comprises means for profiling the software application and means for extracting SQL queries for building tests (col 23, lines 18-49)

Ditmer does not expressly teach a monitor module for monitoring the interaction of the software application with the database, wherein the monitor module.

Cheng teaches monitor module for monitoring the interaction of the software application with the database, wherein the monitor module (Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Ditmer with the teachings of Cheng to include claimed, monitor module for monitoring the interaction of the software application with the database, wherein the monitor module with the motivation to provide to activate, and use personal communication services anywhere and at any time without interoperability problems (Cheng, col 1, lines 5-14).

Regarding Claims 2 and 9, Ditmer teaches a proxy driver and logging calls. (col 5, lines 56-67 to col 6, lines 1-6) (see also col 9, lines 1-20).

Ditmer does not expressly teach a monitor module for monitoring the interaction of the software application with the database, wherein the monitor module.

Cheng teaches monitor module for monitoring the interaction of the software application with the database, wherein the monitor module (Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Ditmer with the teachings of Cheng to include claimed, monitor module for monitoring the interaction of the software application with the database, wherein the monitor module with the motivation to provide to activate, and use personal communication services anywhere and at any time without interoperability problems (Taylor, col 1, lines 5-14).

Regarding Claims 3 and 10, Ditmer teaches object that wraps... software application (i.e. wrapper) (col 16, lines 22-49).

Regarding Claim 4, Ditmer teaches ... statements and result set (col 14, lines 58-65).

Regarding Claims 5 and 11, Ditmer teaches graphical user interface (col 7, lines 8-13) and messages... (col 6, lines 66-67 - col 7, lines 1-8).

Regarding Claims 6 and 12, Ditmer teaches proxy driver ... for sending monitored information to one or more text file, compressed and graphical user interface (col 12, lines 15-23) see also (i.e by the audit trail) (col 12, lines 45-47)

Regarding Claim 13, Ditmer teaches recorded pattern (i.e. by generating alerts) (col 12, lines 59-64).

Regarding Claim 14, Ditmer teaches design rule (col 17, lines 62-67 to col 18, lines 1-16).

Regarding Claim 15, Ditmer teaches ... SQL statements (col 21, lines 19-45).

Regarding Claims 16-17, the limitation of these claims are similar in scope to the rejected claim above. In addition, Ditmer teaches reporting ... (col 6, lines 66-67 to col 7, lines 1-8).

Regarding Claim 18, Ditmer teaches verifying that a ... value ... query remains in defined limits (col 22, lines 65-67 to col 23, lines 1-17).

Regarding Claim 19, Ditmer teaches generating reports (col 3, lines 40-51).

Regarding Claim 20, Ditmer teaches graphical user interface... and generating a report based on the data from the database (col 3, lines 40-51) (see also col 12, lines 24-31).

Regarding Claim 21, Ditmer teaches filtering ... (col 13, lines 28-39).

Regarding Claim 22, Ditmer teaches relations between data.. (col 20, lines 7-31).

Regarding Claim 23, Ditmer teaches one or more key, type and name (col23, lines 18-49)see also (col 12, lines 24-31); (col 7,lines 41-46).

Regarding Claim 24, Ditmer teaches ... html (i.e. an HTML <Applet>tag) (col 16, lines 51-59).

Regarding Claim 25, Ditmer teaches... publish the report (col 9, lines 1-20).

Regarding Claim 7, the limitations of this claim is similar in scope to the rejected claims above and is therefore rejected as set forth above.

Other Prior Art Made of Record

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. U.S. patents and U.S. patent application publications will not be supplied with Office actions. Examiners advises the Applicant that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. For the use of the Office's PAIR system, Applicants may refer to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.


Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diane D. Mizrahi whose telephone number is 571-272-4079. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4156. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 305-3900 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9001.



Diane Mizrahi
Primary Patent Examiner
Technology Center 2100

June 14, 2005